

Guest editor's note

Europe finds itself in a deep crisis caused by the spread of the pandemic. Its outbreak has surprised the Continent and challenged the governments. However, not all problems with the development of the European Union Law have been caused by the Crisis. It has merely disguised the long-lasting crisis in the development of the European Union law. The first decade of this century was marked by the vivid discussion on the EU law and it seemed that the idea of the strengthened unification of the European private law, including an idea of the European codification, could become a reality. In the last decade of the 20th century and in the first decade of the 21st century important European restatements have been completed, including the Principles of the European Contract Law, Draft Common Frame of Reference, Acquis Principles, and many others. There was hope that the Union will be able to risk the qualitative change in its mode of the law-making. Quite quickly, however, it has come to a disappointment. The proposal for the Common European Sales Law, an optional instrument, has also not been accepted. It was a critical moment in the development of the European law. In the second decade of this century another impulse for the development of the European law has occurred: the raise of the digital law. The European law has experienced and is still experiencing vivid development in this area. This development will most likely influence the “digital law” but it may also affect the entire private law of the Union.

The three consecutive issues of the “Pravovedenie” are devoted to the developments of the law in Europe and try to grasp various aspects of the already existing or emerging modern private law. Since we have received numerous papers, the special edition of the journal must be split into three issues, both including articles written in Russian and English.

In the first issue, the collection of articles is opened with the article of one of the crucial authors in the debate on the shape of the European private law: R. Schulze who shows his own perspective on the European private law. Schulze was the initiator and one of the leadings actors of the Acquis Group: The Research Group on the Existing EC-Contract law. Together with R. Zimmermann he is a co-editor of the fundamental work *Commentaries on the European Contract Laws*. Schulze provides the readers with his own perspective on the development of the European private law.

In the first issue there is also an article discussing the two new core directives: on sales and on the supply of the digital content and services. These two directives shape the way into the new law of non-performance of obligations, adjusted to the digital era. L. Savanets and A. Stakhira discuss these two pivotal directives, considering the Ukrainian perspective.

The area between the European law and the French national law is covered in the article of R. Lugmanov who presents the pre-contractual information duties. It provides to the readers an important input into the picture of the modern protection of the

declaration of intent, complementing the old “vice-of-consents” mechanisms. Further comparative analyses are also undertaken in the next publications.

“Translator alter” provides a bright overview on the principle of *venire contra factum proprium* and its multiple functions, developed in the German doctrine and case law.

Guest editor of the issue,
professor, dr. hab.,
professor of Jagiellonian University in Kraków,
professor of University of Osnabrück

Fryderyk Zoll